



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Issued by the Department of Transportation  
on the 23<sup>rd</sup> day of January, 2004

Essential Air Service at

**PLATTSBURGH, NEW YORK**

under 49 U.S.C. 41731 *et seq.*

**Served: January 28, 2004**

**DOCKET OST-2003-14783**

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department of Transportation extends the service obligation of CommutAir, Inc., d/b/a Continental Connection (CommutAir), at Plattsburgh, New York, for an additional 30 days, through [February 27, 2004](#).

**Background**

On March 24, 2003, CommutAir filed a 90-day notice of its intent to suspend its unsubsidized service at Plattsburgh, effective June 30, 2003. By Order 2003-5-22, May 21, 2003, the Department prohibited CommutAir from suspending service beyond the end of its 90-day notice period, through July 30, 2003, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended CommutAir's service obligation for additional 30-day periods, the latest through [January 28, 2004](#), by Order [2003-12-25](#).

On June 22, 2003, CommutAir became eligible for compensation for its forced service. By Order 2003-8-1, August 4, 2003, the Department set an annual subsidy rate of \$1,442,396<sup>1</sup>, for three (3) nonstop or one-stop round trips per day between Plattsburgh and Albany with 19-seat Beech 1900D aircraft.

Although we have received proposals, this case will not be completed by the end of the current hold-in period. Therefore, in accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation at Plattsburgh, for an additional 30 days, or until reliable replacement service actually begins, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

<sup>1</sup> The agreed-to annual subsidy rate of \$1,442,396, is a combined rate for CommutAir's hold-in service at both Plattsburgh and Saranac Lake, to be paid until long-term carrier selection proceedings are completed.

**ACCORDINGLY,**

1. We require CommutAir, Inc., to maintain essential air service at Plattsburgh, New York, consisting of three daily nonstop or one-stop round trips to Albany, for an additional 30-day period, through [February 27, 2004](#), or until reliable replacement service actually begins, whichever occurs first;<sup>2</sup>
2. We direct CommutAir to retain all books, records, and other source and summary documentation to support subsidy claims for payment, and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years or until the Department indicates that the records may be destroyed, whichever comes first. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;
3. Docket OST-2003-14783, will remain open until further order of the Department; and
4. We will serve a copy of this order on the Mayor and Airport Manager of Plattsburgh, and CommutAir, Inc.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten (10) days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude its effectiveness.

By:

**RANDALL D. BENNETT**

Director

Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at  
<http://dms.dot.gov>*

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<sup>2</sup> In accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation for successive 30-day periods, as necessary, until replacement service actually begins.